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THE ADMINISTRATION OF MINISTER'S ZONING ORDERS IN UNORGANIZED TERRITORIES

GUIDELINES FOR PLANNING BOARDS

September, 1981

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THE ADMINISTRATION OF MINISTER'S ZONING ORDERS IN UNORGANIZED TERRITORIES

GUIDELINES FOR PLANNING BOARDS



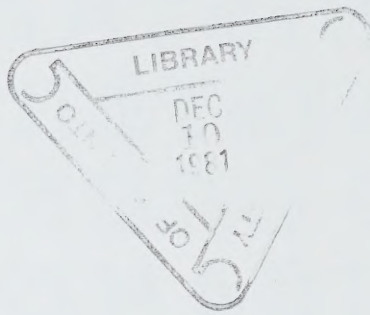
Ontario

Ministry of
Municipal Affairs
and Housing

September 1981

Prepared by Operations Review Section
Plans Administration Division

Hon. Claude F. Bennett, Minister
R.M. Dillon, Deputy Minister



These guidelines have been prepared to assist planning boards and their secretary-treasurers in administering minister's zoning orders affecting unorganized territories. The information is accurate at publication, but is subject to change. These guidelines should be read together with a current copy of the Planning Act. Planning boards should consult a solicitor on all legal questions.

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1. INTRODUCTION

In areas where no municipal organization exists to pass zoning by-laws under section 39 of The Planning Act, land use controls are often applied in the form of minister's zoning orders under section 35 of The Planning Act. Their preparation, imposition, administration and enforcement are carried out with the co-operation of local planning boards, where they exist.

Until recently, section 35 orders have been administered by the Minister of Municipal Affairs and Housing and his staff. However, in keeping with the philosophy of increased local involvement in the planning process, these responsibilities are now being transferred to the planning boards of the planning areas in which these unorganized territories are located. Local planning boards are being requested to:

- a) receive each application for amendment to the order and make a recommendation to the minister for its approval or refusal, and
- b) document and advise ministry staff of any violations to the order so that appropriate action can be taken.

These guidelines have been prepared to assist planning boards in administering zoning orders within their planning areas.

2. STATUTORY AUTHORITY

The following sections of The Planning Act set out the various authorities and responsibilities associated with the imposition, amendment, administration and revocation of zoning orders. By order-in-council, some of these powers and duties have been delegated to the Community Planning Wing's assistant deputy minister, the Plans Administration's executive director and, in some cases, the appropriate Community Planning Review Branch director.

Section 35(1)(a) Application Of Order:

The minister may, by order, exercise any of the zoning powers granted to a municipal council under section 39 of The Planning Act with respect to any land in Ontario. In contrast to a zoning by-law, a minister's zoning order does not require the approval of the Ontario Municipal Board.

Section 35(2) Minor Variances:

The minister can grant minor variances from the provisions of the order.

Section 35(4) Zoning Order to Conform to Official Plan:

Where there is an official plan in effect, the minister's zoning order must conform to it.

Section 35(5) Notice Upon Application of Order:

No notice of hearing is required prior to the making of an order, but the minister is required to give notice of his order within 30 days of making it.

Section 35(6)(b) Registration:

A certified copy or duplicate of an order will be lodged in the proper land registry office.

Section 35(8) Revocation or Amendment:

The minister may, by another order, amend or revoke a minister's order.

Section 35(9) Notice Upon Amending or Revoking the Order:

Prior to amending or revoking an order, the minister must give notice in whatever manner he considers appropriate and must allow enough time to permit the submission of representations. The requirement of section 35(9) does not apply to minor variances.

Section 35(10) Referral to the Ontario Municipal Board:

Where an application is made to the minister to amend or revoke an order (in whole or in part), the minister may, on the request of any person, refer an application to the Ontario Municipal Board and request a hearing.

Section 35(11) Refusal of Request by Minister:

Where the minister is of the opinion that such a request is not made in good faith or is frivolous or is made only for the purpose of delay, he may refuse such a request.

Section 35(12) Notice of Hearing on a Matter Referred to Ontario Municipal Board:

Notice of hearing on a matter referred to the Ontario Municipal Board, shall be given in such a manner and to such persons as the Ontario Municipal Board may direct.

Section 35(13) Decision of the Ontario Municipal Board:

After the conclusion of the hearing, the board makes a decision to either amend or revoke the order (in whole or in part). The minister gives effect to the decision of the board.

Section 35(14) Copy of the Ontario Municipal Board's Decision:

A copy of the Ontario Municipal Board's decision is sent to each person who appeared at the hearing and made representations on the matter.

Section 35(15) Fine for Contravention of the Order:

Any person contravening a minister's order may be liable for a fine up to \$1,000.

Section 50 Restraint:

Any contravention of an order made under section 35 may be restrained by action of the minister or the planning board of the planning area in which the contravention took place, or the municipality in which the contravention took place or any adjoining municipality, or any ratepayer of any such municipality or adjoining municipality.

3. CHARACTERISTICS OF ZONING ORDERS FOR UNORGANIZED TERRITORIES

Zoning orders in unorganized territories, intended to serve as an alternative to a by-law passed under section 39 of The Planning Act, control land use in a manner similar to a municipal restricted area zoning by-law.

a) Implementation of Official Plan

Similar to a zoning by-law, a minister's zoning order must conform to the official plan covering the subject area. The order is the planning tool designed to implement the policies in the official plan, and, in every respect, it must conform to it.

b) Control of Land Use

All lands covered by a zoning order are subject to the zones established in the order. The zones establish various categories of land use and their locations. They define the areas in which development can take place. A zoning order does not "freeze" or put a stop to all development. Rather, it regulates development in compliance with the policies set forth in the official plan.

c) Standards and Site Restrictions

Lands within each specific zone are subject to land use controls in keeping with each particular zone. The standards are designed to protect the lands in the zones from indiscriminate development and include such things as minimum lot size, setback requirements, floor area, parking requirements, etc.

4. AMENDMENTS

Section 35(8) of The Planning Act provides that the minister may, by another order, amend the original order. In situations where it is necessary to change the existing standards or to set new ones, an amendment procedure exists. If a new development which presently would not conform to the order can be justified, it is possible to amend the order to allow the development. However, zoning order amendments must also conform to the official plan.

In the past, amendments to the order have been processed by the minister's staff. It is anticipated that all administrative details will now be dealt with by planning boards up to the point where a recommendation is submitted to the minister for approval.

5. GUIDELINES AND PROCEDURES

5.1 Receiving the Application

5.1.1 Application Form

The standard application form (Appendix A) is intended to obtain such information as:

- a) the name and address of the applicant and/or owner, and agent, if any
- b) the location and size of the property
- c) its present and intended use
- d) severance information
- e) information for proposed commercial or industrial uses
- f) site characteristics
- g) proposed servicing
- h) a legal description
- i) a sketch map showing -
 - . the location of the property in relation to major roads and adjacent properties
 - . the road upon which the property fronts
 - . basic topographical features on the property
 - . the proposed use of the property with respect to the location of buildings and structures

An example of a sketch map is shown in Appendix B.

Planning board should ensure that the application form is complete and that all information is correct. If the submission does not provide the required information, the planning board should return it to the applicant with the acknowledgement letter and an explanation.

A planning board member or other representative may find it necessary to visit the site to gather additional data.

5.1.2 Record System and Filing

It is advisable that a permanent record system be kept so that planning board can provide information to the applicant. The system should be comprehensive and centralized for easy reference.

A file number should be assigned to each application when a file has been opened. Each new file number should be recorded in a record book which contains summarized details of applications and status information. All correspondence relating to an application should be kept on the file containing the application form. It is advisable that an up-to-date summary of all correspondence be kept on the inside flap of the file folder (Appendix C).

The use of a master map to plot all applications, and their status is also recommended.

Where necessary or desirable, planning board may wish to establish other organizational aids.

5.1.3 Acknowledgement Letter

An acknowledgement letter should be sent to the applicant as soon as possible to advise of the receipt of the application and the file number assigned (Appendix D). If more information is required or the application is not complete, the application should be returned and the applicant advised.

5.1.4 Information to be Submitted to the Ministry of Municipal Affairs and Housing

Upon receipt of an amendment application, the following should be sent to the Ministry of Municipal Affairs and Housing:

- a) a notification letter stating that the application has been received
- b) a copy of the application and sketch map
- c) the file number assigned by planning board.

This information should be sent to:

Community Planning Review Branch
Plans Administration Division
Ministry of Municipal Affairs and Housing
56 Wellesley Street West
7th Floor
Toronto, Ontario
M7A 2K4

5.2 Preliminary Evaluation

Planning board should undertake an initial review to assess and evaluate the application for an amendment to the order. Once the application has been reviewed for completeness, and additional information requested, if necessary, a preliminary evaluation should be undertaken to ensure that the amendment process is the appropriate procedure for dealing with the request. If it is not, or the matter can be dealt with through the minor variance procedure, the applicant should be informed accordingly. If an amendment is required, steps can be taken to process the application further.

5.2.1 Non-Conformity to the Official Plan

If a zoning order amendment application is not in conformity with the official plan, it should not be circulated unless a concurrent amendment to the official plan has been adopted and submitted to the Minister of Municipal Affairs and Housing for approval. Planning board should await the outcome of the ministry's action on the amendment to the official plan before making a recommendation on the zoning order amendment application. In situations involving amendments to both the official plan and the zoning order, planning board should keep in close contact with ministry staff.

5.2.2 Conformity to the Official Plan

If planning board is satisfied that the zoning order amendment application conforms to the official plan, planning board should proceed to circulate.

5.3 Circulation

Assessment of the application should be carried out to determine the extent of circulation required and the public agencies to which the application should be circulated.

5.3.1 Agencies to be Circulated

After a decision to circulate has been made, a copy of the application may be forwarded to any local and provincial agencies having an interest in the application. A list of these agencies is provided by the Ministry of Municipal Affairs and Housing. Planning board may circulate to these and any others it considers appropriate. A sample circulation letter appears in Appendix E.

5.3.2 Circulation Deadline

Planning board should allow each agency a maximum period within which to make a written reply. The length of time should be related to the complexity of the application and weather conditions (if a site inspection is necessary). We recommend thirty (30) days for most applications. If no reply is received within that time period, reminder letters should be sent out to encourage a response. An extension period may be granted if an agency requests and if there is a justifiable reason. If no reply is received after sufficient contact by planning board, then it should be ascertained that the agency has no objections and planning board should proceed.

5.4 Site Visit

Where necessary, a site visit should be made by one of planning board's members or a representative. The site visit should be undertaken to assess the suitability of the site for the development proposed and to evaluate the compatibility of the proposed use with adjacent land. The physiography of the site, its proximity to water and access to public roads should be studied. Appendix F contains a sample site visit form.

5.5 Public Notice

Section 35(9) of The Planning Act requires that the minister give public notice of every application to amend a minister's order. As administrators of the order, planning board must ensure that appropriate notice is given. As a general rule, this should be carried out concurrently with the circulation of the application to agencies for comment. The notice should be published in either the local newspaper or the newspaper with the largest circulation in the area. The notice should state that: (See Appendix G)

- (i) submissions will be received by the Ministry of Municipal Affairs and Housing until 14 days from the date of publication
- (ii) any interested person may request that the amending order be referred to the Ontario Municipal Board for a hearing
- (iii) all submissions and requests for referral to the OMB should be forwarded to the Ministry of Municipal Affairs and Housing with a copy to the planning board.

5.6 The Recommendation

Once all comments have been received, an evaluation of recommendations made by the various agencies should assist planning board in arriving at its recommendation that the request for amendment be approved or refused. A staff report to planning board should be prepared which covers the following:

- a) nature of the application and reasons for the request
- b) location, by map, if possible
- c) description of existing and surrounding land use
- d) conformity with planning area policies (i.e., approved official plan)
- e) a summary of circulation comments
- f) objections received, if any
- g) reasons for the recommendation.

5.7 The Decision

5.7.1 Information to be Submitted to Ministry of Municipal Affairs and Housing

Once the recommendation has been made by planning board, the following information is to be forwarded to the Ministry of Municipal Affairs and Housing:

- a) copies of all circulation letters and comments received
- b) a copy of the staff report and recommendation
- c) a copy of the notice and date of publication.

This information should be sent to:

Community Planning Review Branch
Plans Administration Division
Ministry of Municipal Affairs and Housing
56 Wellesley Street West
7th Floor
Toronto, Ontario
M7A 2K4

5.7.2 Evaluation of Recommendation by Minister

The submission from planning board will be reviewed by the staff of the Ministry of Municipal Affairs and Housing. The recommendation will either be approved, denied or modified. The final decision on the application will be made by the minister, after an assessment of the information received.

5.7.3 Where an Application is Approved

Where planning board recommends that an application be approved and the minister concurs with the recommendation, the staff will draft the amendment to the zoning order. In the case where he disagrees, the application may be referred to the Ontario Municipal Board or may be returned for reconsideration by both planning board and his staff.

5.7.4 Where an Application is Refused

Where planning board has recommended that an application be refused, and where the minister concurs with the recommendation, the staff will prepare a letter explaining the basis of the refusal. This letter will be sent to the applicant and a copy will be sent to planning board at the same time.

5.8 Referral to the Ontario Municipal Board

5.8.1 Legal Framework

Section 35(10) of The Planning Act states that the minister may refer an application to amend or revoke a zoning order to the Ontario Municipal Board for a hearing. The minister must refer an application to the Ontario Municipal Board on the request of any person, provided the request has been made in good faith, and is not frivolous or for the purpose of delay.

5.8.2 Information to be Submitted to the Minister

Any request to refer a matter to the Ontario Municipal Board should be sent to the minister with a copy sent to planning board. If this takes place before a recommendation has been made to the minister, planning board should send the following information:

- a) a staff report which presents the facts concerning the application, but not making a recommendation on whether the application should be approved or not
- b) all pertinent information and copies of related material
- c) a list of the names and addresses of those who have an interest in the matter or who requested notification (i.e., applicant, appellant, other objectors, legal counsel etc.)
- d) an indication of when and in which newspaper the public notice appeared
- e) a copy of the initial public notice of the intention to amend the zoning order.

5.8.3 Minister's Referral to the Ontario Municipal Board

Upon receiving the request, the minister must refer the matter to the Ontario Municipal Board for a hearing unless the minister considers the request to be frivolous, made for the purpose of delay, or not made in good faith. The applicant will be advised that the matter has been referred to the Ontario Municipal Board.

6. MINOR VARIANCES AND EXTENSIONS AND ENLARGEMENTS TO NON-CONFORMING USES

6.1 Legal Framework

Pursuant to section 35(2) of The Planning Act, the minister has all the powers in respect of a zoning order as a committee of adjustment has in respect of a by-law passed under section 39. This means that, provided the general intent and purpose of the order (and official plan) is maintained, he can allow minor variances and extensions and enlargements to non-conforming uses. Similar to the delegation of the administrative function for processing zoning order amendments, planning boards having jurisdiction over unorganized territories are being asked to process these applications.

6.2 Examples

(i) Minor Variances

Section 35(2) of The Act provides for dealing with minor changes to the zoning order that do not necessarily require an amendment to the order.

Examples where an owner might not meet the zoning order requirements and where a minor variance might be considered over an amendment are as follows:

- a) undersized lots which fail to meet the specific lot size standard established for each zone in the order for the specific land use
- b) lot coverage where the maximum will be exceeded
- c) minimal front, rear and side yard minimum distance violations
- d) frontage dimensions that fail to satisfy the minimum standard established for each zone in the order for the specific land use.

(ii) Extensions or Enlargements to Non-Conforming Uses

A legal non-conforming use is a use that was legally existing at the time the order was imposed, but is not specifically recognized in and/or does not meet the requirements of the order. Planning board can permit such a use to expand or enlarge within the boundaries of the property owned by the applicant at the time the order was imposed.

6.3 Procedures

The procedure for minor variance and extension or enlargement of non-conforming use applications is the same as set out for zoning order amendments as presented in these guidelines. The requirement of section 35(9) to give notice of amendment applications, however, does not apply to these applications. They may not have to be circulated to the extent that amendment applications are. However, this should be left to planning board's discretion. The application is the same as that used for zoning order amendments (Appendix A).

7. VIOLATIONS AND PROSECUTION PROCEDURES

In administering zoning orders, planning boards are responsible for monitoring all building activity as well as documenting and advising the Ministry of Municipal Affairs and Housing of any new construction which does not comply with the requirements of the zoning order.

7.1. Legal Framework

The Planning Act contains two remedies for dealing with contraventions.

1. Section 35(15) of The Planning Act:

This involves prosecution through the provincial court for an offence against statutes. This is considered a criminal case and the proceedings are relatively simple, usually resulting in a fine of up to \$1,000.

2. Section 50 of The Planning Act:

This involves restraint by action through the Supreme Court. It is considered a civil case and the use can be terminated through an injunction or an interim injunction. The Minister or planning board of the planning area in which the contravention took place, or any adjoining municipality, or the ratepayer of any adjoining municipality, may initiate court action. The proceedings can be complex, but the advantage of commencing under this section is that the contravention can be terminated and/or the buildings or structures removed.

7.2 Role of Planning Board

7.2.1 Monitoring Building Activity

It is essential that planning board carefully monitor all building activity. It is imperative once the order has been imposed, but should ideally begin prior to its imposition as soon as possible after planning board is advised that an order is being prepared. (Any buildings or structures existing at the date the order is imposed, even though they do not comply with the order, become legal non-conforming uses and are not in violation.) To assist in this, planning board should consider the following:

- a) a comprehensive land use inventory. This is usually available as part of the land use survey conducted during the preparation of the zoning order. It is planning board's responsibility however, to keep the maps up to date.

- b) use of a Letter of Conformity. When an individual is intending to build, he is asked to obtain a letter of conformity from the planning board stating that the proposal conforms to the zoning order. (The public is notified of this requirement upon imposition of the order). If a proposal does not conform, an individual is to be advised of the amendment procedure. By keeping track of the issued letters of conformity, planning board can identify the construction which complies with the order, and, any which does not. A sample letter of conformity is provided in Appendix H. When the proposal does not conform, the letter in Appendix I should be used.
- c) rapport with other agency officials and area residents. Other local and provincial agencies (i.e. Ministry of Natural Resources, health authorities, Ontario Hydro) in the area are familiar with and supportive of comprehensive zoning orders. Where an approval from one of these agencies is sought, they are asked not to issue the approval unless the proponent has received a letter of conformity. If he has not, the agencies are asked to direct the individual to planning board for further information and to notify planning board of the proponent's intent. Planning Board should also encourage area residents to discuss with them any new construction taking place.
- d) field inspections. Planning officials should carry out regular field inspections to monitor building activity. This can often be done in conjunction with other duties (i.e. site visits for consent applications, plans of subdivisions etc.).

7.2.2 Contraventions

When an infraction is noted by planning board, the following action is suggested:

7.2.2.1 Letter to Owner

A letter should be sent immediately by registered mail or delivered by hand from planning board to the owner of the land, (or person carrying out the violation if other than the owner), advising him that a minister's zoning order is in effect in the area, and that he is in violation of the order. The procedures for amending the order should be outlined and the owner asked to contact the planning board for further information.

If the contravention continues, a stop work order will be served (Appendix J and section 7.3.1 below) which orders that the work cease and warns of legal action which may be commenced.

7.2.2.2 Documentation

So that appropriate action can be taken, planning board must keep an account of the series of events leading up to the contravention noting dates and details. The following list of information should be submitted to the Ministry of Municipal Affairs and Housing in report form as soon as it is apparent that the violation is continuing. It is important that the report be completed as quickly and concisely as possible. (If assistance is necessary, please contact the Community Planning Advisory Branch):

1. description of violation

(i) a statement of the land use control (i.e. Ontario Regulation number, name of zoning order) stating the specific sections being violated

(ii) nature of violation

2. location of property

(i) a legal description

(ii) a key map

(iii) a statement of where the key map originated (i.e. who prepared it)

(iv) name of the key map, and/or map number, if any

3. owner/person

(i) name of owner of the land,

or

(ii) the person carrying out the violation, if other than the owner.

4. land use controls in effect

(i) zoning orders under section 35 of The Planning Act

a) regulation number

b) date filed with the registrar of regulations

c) date lodged in land registry office

d) copy of notice given

(ii) official plan coverage

a) name and status of official plan coverage

b) date approved

c) date lodged

d) number and status of any amendments affecting this matter

e) complete examination of the official plan as it applies to the subject property

(iii) other land use controls (i.e. orders under section 17 of The Public Lands Act)

a) date imposed

b) if revoked, date thereof

5. how violation noted

(i) a statement of how the violation was brought to the attention of planning board (i.e. monitoring by planning board, complaints from neighbours - names, dates, letters, documentation of telephone calls)

(ii) date the violation was brought to the attention of planning board. (It should be noted that informers may be called as witnesses in the event of legal action)

6. photographs

(i) original photographs of violation

(ii) date taken

(iii) name and position of persons who took them

7. site visits

(i) dates

(ii) description of all buildings on property

(iii) additional site visits (to ensure that the contravention has been continuing)

(iv) any change/alteration in use

8. building/occupancy dates

(i) date preparation of site for building began

(ii) date building began

(iii) date conducting of business/occupancy began

(iv) evidence of the above, including advertisements, telephone listings, photographs of signs, personal contacts etc.

9. hook-up of utilities

(i) date of hydro hook-up

(ii) date of telephone hook-up

10. action taken by planning board to have contravention discontinued

(i) date of warning letter(s)

(ii) method of delivery

(iii) name and position of person delivering letter(s)

11. permits/approvals issued from other agencies

(i) any other applications made for consent, zoning order amendment, access permits, health unit approval, sign permits, hydro hook-up etc.

(ii) date of approval or refusal

(iii) nature of approval or refusal (copy of decision, if possible)

(iv) conditions of approval (copy, if possible)

7.3 Role of Ministry of Municipal Affairs and Housing

Upon receipt of planning board's report, the Ministry of Municipal Affairs and Housing will assess it and after discussions with its Legal Services Branch and the Ministry of the Attorney General will decide on the appropriate action to be taken.

7.3.1 Stop Work Order

A stop work order (Appendix J) will be served to order that the construction cease. The effectiveness of a stop work order depends on the speed with which it is served and it is important that it be served before the construction is completed, and/or the use established.

7.3.2 Legal Proceedings

Planning board can take action on its own, advising the ministry of the contravention. However, in the event that it is inappropriate for planning board to prosecute and the province is requested to take action, the Ministry of Municipal Affairs and Housing will decide on the next step. This may include proceedings under section 35(15) (fine) or section 50 of The Planning Act (an injunction and/or interim injunction where irreparable damage is being done).

Application for Amendment to
Restricted Area (Zoning) Order
Under Section 35 of The Planning Act

NOTE: A legal description of the affected land should be included with each application. The legal description may be a metes and bounds description by reference plan which has been deposited in a local Registry Office or a Land Titles Office, or if it is a registered plan, the Registered Plan number and lot number. (A photocopy of your deed is an easy way to provide this information). If a legal description is not available at the time this application is being made, please state the reasons.

In addition, if the subject parcel is being created by consent, a legal description for both parcels (the lot to be severed and the lot to be retained) will be required if both parcels do not comply with the requirements of the Order.

To avoid delays all information should be complete and accurate. Measurements must be in metric units. A sketch map (see Item 13) is required.

Applicant Information

1. Name of Applicant.....Tel.No.
Address.....

2. Name of Owner (if different from above).....
Address.....

3. Name of Agent.....Tel. No.
(if any)
Address

Note: Unless otherwise requested all communications will be sent to the applicant.

4. Location of subject property
Municipality (or Geographic Township).....
Lot(s) No..... Concession No.....Section.....
Registered Plan No.....Lot(s).....Reference Plan No.....Parts.....

5. Description of land
Frontage.....Depth.....Area.....

APPENDIX A (Cont'd)

6. When was the lot created?.....

How long has the lot been in the applicant's possession?.....

7. Present use of property

Existing use.....

List all buildings or structures existing on the subject land and their dimensions and height.

<u>Buildings or structures</u>	<u>Dimensions</u>	<u>Height</u>
.....
.....
.....

8. Proposed use of property

Proposed use.....

List all buildings or structures proposed on the subject land and the proposed dimensions and height.

<u>Buildings or structures</u>	<u>Dimensions</u>	<u>Height</u>
.....
.....
.....

9. If a consent to sever is required, has a severance application been made to the appropriate agency? (If the agency has made a decision on the severance, please enclose a copy of the agency's decision with this application.)

10. Characteristics of the subject land (indicate "Yes" or "No" and describe if necessary).

Land is subject to:

a) Flooding.....

b) Swampiness.....

c) Erosion.....

If the answer to any of the above is "Yes" please indicate the locations on the attached map.

APPENDIX A (Cont'd)

11. Types of servicing (check where appropriate). The property is going to be serviced by:

- a) ☐ a municipally owned piped water system
- ☐ a private well
- ☐ other (please note source of water)

.....

- b) ☐ a municipally owned sanitary sewage system
- ☐ a septic tank
- ☐ other (please specify type)

.....

- c) ☐ electricity
- d) ☐ garbage collection
- e) ☐ road maintenance
- f) ☐ snow plowing
- g) ☐ school busing

NOTE: Applications which require changes to an existing private sewage disposal system or the installation of a new private sewage disposal system must be accompanied by a report from the Ministry of the Environment or the local health unit, whichever is responsible in your area for the issuance of sewage disposal permits. Local health units have been delegated this responsibility in most areas.

12. If proposed building is for commercial or industrial uses, give the following information:

Nature of business.....

Total number of off-street parking spaces.....

13. A sketch must be included and can be drawn on the attached form at suitable scale.

(See sample sketch). The sketch must show the following information:

- a) The boundaries of the subject land, with dimensions.
- b) The location, widths and names of all streets or highways within or abutting the property, indicating whether they are publicly-owned, travelled roads, or rights-of-way and the location of the closest concession road as well as access points.

APPENDIX A (Cont'd)

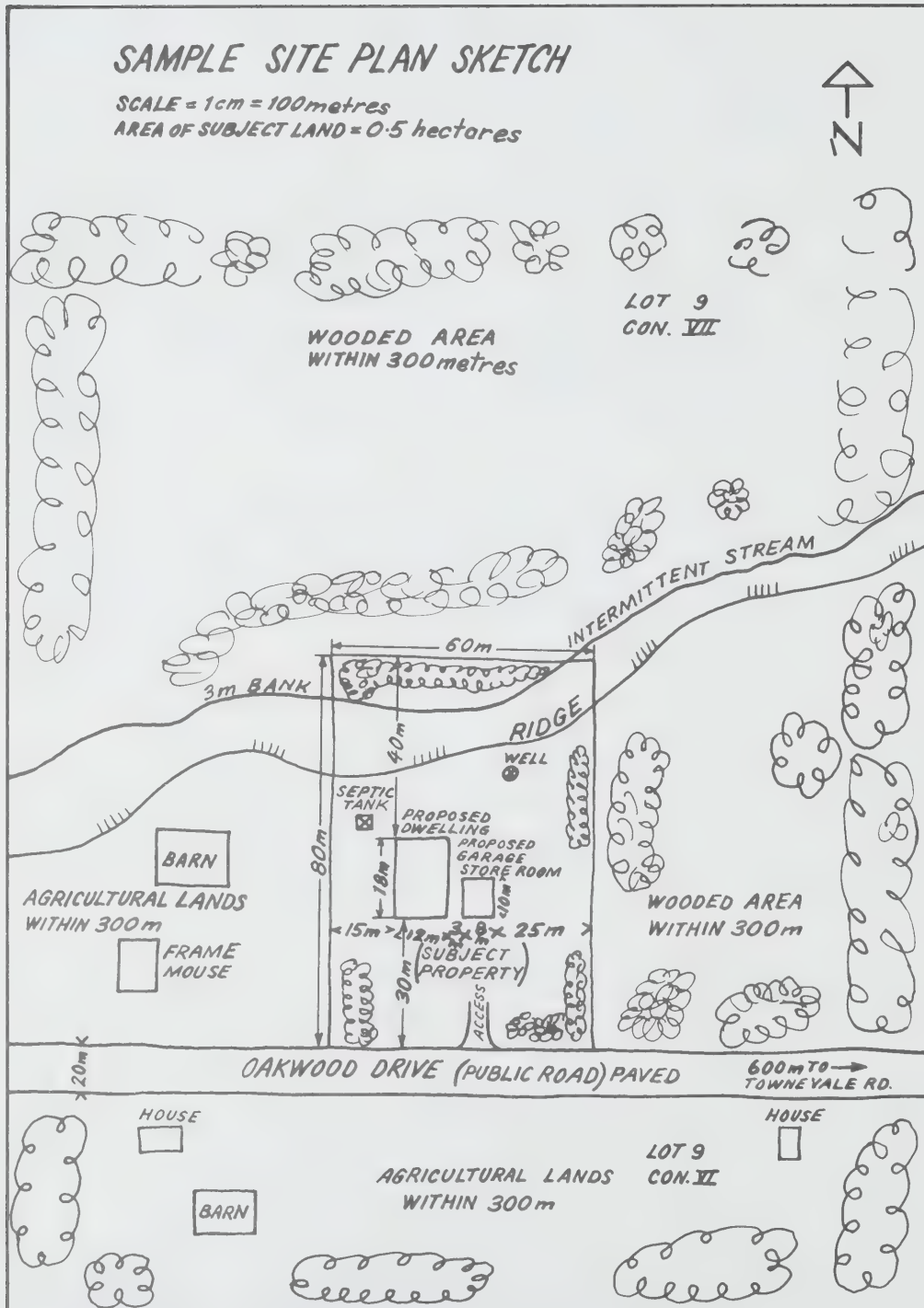
- c) The boundaries of all of the land adjacent to the subject land that is owned by the applicant or in which the applicant has an interest. (If more convenient, this can be shown on a small key plan.)
- d) The relationship of the boundaries of the subject land to the boundaries of the township lot and to the boundaries of any adjacent registered plan or plans.
- e) The location and dimensions of all existing and proposed structures on the subject land.
- f) The nature of the existing uses of land within a radius of 300 metres of the property.
- g) Natural and artificial features such as buildings, (siting measurements may be required for some applications (i.e. where the siting of a building would encroach on a required side yard or front yard etc.)), railways, highways, pipelines, watercourses, drainage ditches, swamps, and wooded areas within or adjacent to the subject land.
- h) The slope of the land, in order to establish the relationship between the grade of abutting highways and the grade of the subject land and to determine the drainage of the land (this information may be given in the form of contours, spot elevations, or written description).
- i) Easements.

REQUIRED SKETCH

Lot(s) No.....Concession No.....Municipality.....
Registered Plan No.:.....Lot(s).....Reference Plan No.....Part(s).....
Quarter of Township Lot: N.W. _____ N.E. _____
 S.W. _____ S.E. _____

Please Use Metric Units		
To Convert	Multiply by	To Find
Feet	0.3048	Metres
Acres	0.4046	Hectares

RETURN THIS SKETCH WITH APPLICATION FORM-
WITHOUT A SKETCH AN APPLICATION CANNOT BE PROCESSED



PROGRESS SHEET - ZONING ORDER AMENDMENTS

1. TOWNSHIP:
 2. FILE NO:
 3. DATE REC'D:
 4. NAME:
 5. LOCATION:
 6. NATURE OF REQUEST
-

7. STATUS OF APPLICATION:

a. Ackn. sent _____

b. Recommendation sent to Municipal Affairs and Housing

☐ Approve☐ Refuse

c. Decision of Minister of Municipal Affairs and Housing

☐ Approve☐ Refuse☐ Referral
to OMB

O.R. # _____ Sched. # _____

Sec. # _____

8. APPLICATION CHECKLIST

Yes No

COMMENTS

- | | | | |
|--------------------------|-------|-------|--|
| a. Legal Descrp. | _____ | _____ | |
| b. Completed Application | _____ | _____ | |
| c. Completed Sketch Map | _____ | _____ | |
| d. Conformity to O.P. | _____ | _____ | |
| e. Site Visit | _____ | _____ | |
-

9. CIRCULATIONSent Reply

- | | | |
|--|-------|-------|
| a. M.T.C. | _____ | _____ |
| b. M O.E. | _____ | _____ |
| c. M.N.R. | _____ | _____ |
| d. M Agr. & Food | _____ | _____ |
| e. Railways | _____ | _____ |
| f. Ministry of Municipal
Affairs & Housing (CPAB) | _____ | _____ |
| g. Ont. Hyd. | _____ | _____ |
| h. Others | _____ | _____ |
-

APPENDIX D

Subject: Name
Application for Amendment to
the Minister's Zoning Order
Township:
Our File No.

We acknowledge receipt of your application. It is under review and you will be notified as soon as a decision is made.

If your application is approved, the responsibility for the accuracy and sufficiency of the property's description to be contained in the amendment will rest with you.

Please direct future correspondence and enquiries to

Yours truly,

Subject: Name
Application for Amendment to
the Minister's Zoning Order
Township:
Our File No.

Enclosed is a copy of an application to amend the above-noted Minister's Restricted Area Order. Your comments on the suitability of this proposal would be very much appreciated.

In an attempt to reduce to a minimum the time required in processing an application for approval, we ask your co-operation in hastening your reply. It is requested, therefore, that any comments you have be sent to us within thirty days from the date of this letter. A limited extension will be permitted only if you advise us that additional time is required.

Yours truly,

APPENDIX F

SITE EVALUATION

File No _____ DATE: _____

Township _____

Nature of Request _____ Location: _____

A) SITE

1) Vegetation (type, density, height, locations, preservation
recommendation)

2) Terrain (slope, drainage, erosion, problem areas, preservation
recommendation)

3) Human Activity (existing structures, man-made features, existing land
use, preservation recommendation)

C) GENERAL EVALUATION AND RECOMMENDATIONS

1) Relationship of Proposal to Site Characteristics

2) Relationship of Proposal to Surrounding Situation

3) Recommendations

Inspector: _____

THE PLANNING ACT

Notice of Application(s) for
Amendment to Minister's
Restricted Area Order - _____
Township of _____

Take notice that application(s) to
amend the restricted area order
filed as Ontario Regulation _____ has/
have been received by The Planning
Board of the _____ Planning
Area. The details of the
application(s) are:

(1) Applicant:

File No:

Proposal: (e.g. To permit
the construction of a single
family dwelling on an existing
9.37 acre lot. Part Lot 9,
Con.4).

(2) Applicant:

File No:

Proposal: (e.g. To permit
the severance of a 44,000 square foot
lot for retirement purposes
and construction of a single family
dwelling thereon. Part Lot 10,
Con. 4).

etc.

All submissions in support of, or in
opposition to, the applications described
above, and received by the Ministry of
Municipal Affairs and Housing, 56 Wellesley
Street West, 7th Floor, Toronto, Ontario, on
or before _____, 19 ____ will be
fully considered. Please refer to the file
number indicated above.

In addition, under section 35(10) of The
Planning Act, any interested person may
request that the Minister of Municipal
Affairs and Housing refer any application for
amendment to the Ontario Municipal Board for
a hearing. Such a request should be sent to
the Minister, at the above address.

A copy of any submission or request for
referral to the Ministry should also be
forwarded to the _____ Planning Board
(address) _____.

Re: Owner: _____

Lot: _____

Conc: _____

Township: _____

Parcel: _____

Proposal Dated: _____

Dear:

This is to inform you that your above noted proposal is considered to be in conformity to the _____ Zoning Order.

You will require other building approvals before proceeding to build. This information, and the address of those to contact is contained in the attached information package.

Yours truly,

Secretary-Treasurer
_____ Planning Board

APPENDIX I

Re: Owner:

Lot:

Conc:

Township:

Parcel:

Proposal Dated:

Dear:

This is to inform you that your above noted proposal does not conform to the _____ Zoning Order.

Before the development can proceed, an amendment to the zoning order, recommended by planning board and approved by the Ministry of Municipal Affairs and Housing, will be required. An application is enclosed.

Any new construction of use which is in contravention of the zoning order may result in a fine of up to \$1,000 or in the issuance of an injunction terminating such construction or use.

Yours truly,

Secretary-Treasurer

_____ Planning Board



Stop Work Order

From: Minister of Municipal Affairs and Housing

Date: _____

To: _____

Location/Site: _____

1. An inspection at the above location/site discloses that

- ☐ construction of a building
☐ erection of a structure
☐ location of a mobile home

has commenced in contravention of a restricted area order made under Section 35 of The Planning Act, R.S.O. 1980.
The particulars of the contravention(s) are as follows:

Item	Nature of Contravention

2. You are notified to cease work forthwith until such time as a letter of conformity is obtained from the secretary-treasurer of the planning board stating that the structure has been brought into conformity with the restricted area order.

If the order is not complied with, it is intended to enforce the order under the provisions of The Planning Act, R.S.O. 1980, as amended. Every person who violates a restricted area order made under Section 35 of The Planning Act is liable to a fine of not more than \$1,000 and an injunction in respect of the contravention.

- ☐ 1. Copy affixed to site
☐ 2. Copy served upon

